

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

Chapter 11

FIELDWOOD ENERGY LLC, *et al.*,

Case No. 20-33948 (MI)

Debtors.¹

Jointly Administered

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Appellants Lexon Insurance Company, Ironshore Indemnity Inc. and Ironshore Specialty Insurance Company (collectively, "Lexon" or "Appellants"), by and through their undersigned counsel, Harris Beach PLLC, file this Notice of Appeal pursuant to 28 U.S.C. § 158(a)(1) and Rule 8003 of the Federal Rules of Bankruptcy Procedure.

Specifically, Appellants appeal to the United States District Court for the Southern District of Texas this Court's Findings of Fact, Conclusions of Law, and Order Confirming Eighth Amended Joint Chapter 11 Plan of Fieldwood Energy LLC and its Affiliated Debtors [Dkt. No. 1751], entered on June 25, 2021, (the "Confirmation Order") to the extent the Confirmation Order, including any findings of fact or conclusions of law therein, purports to eliminate or impair Appellants' suretyship rights including its rights of subrogation, reimbursement, exoneration and restitution with respect to any of the post-confirmation entities, including NewCo and its subsidiaries and affiliates (including Credit Bid Purchasers) pursuant to 11 U.S.C. §§ 363 or 365 or otherwise, by purporting to strip away those rights

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, as applicable, are: Dynamic Offshore Resources NS, LLC (0158); Fieldwood Energy LLC (6778); Fieldwood Energy Inc. (4991); Fieldwood Energy Offshore LLC (4494); Fieldwood Onshore LLC (3489); Fieldwood SD Offshore LLC (8786); Fieldwood Offshore LLC (2930); FW GOM Pipeline, Inc. (8440); GOM Shelf LLC (8107); Bandon Oil and Gas GP, LLC (9172); Bandon Oil and Gas, LP (9266); Fieldwood Energy SP LLC (1971); Galveston Bay Pipeline LLC (5703); and Galveston Bay Processing LLC (0422). The Debtors' primary mailing address is 2000 W. Sam Houston Parkway S., Suite 1200, Houston, TX 77042.

and failing to recognize or require the assumption or transfer of such obligations related to the leases and property interests of the Debtors distributed to the post-confirmation entities.

Part 1: Identification of Appellant

1. Name of Appellants - Lexon Insurance Company, Ironshore Indemnity Inc. and Ironshore Specialty Insurance Company.
2. Position of Appellants in bankruptcy case - sureties of the Debtors.

Part 2: Identification of the Subject of this Appeal

1. Whether the bankruptcy court erred in confirming the June 25, 201, Confirmation Order to the extent the Confirmation Order, including any findings of fact or conclusions of law therein, authorizes (a) any assumption by the Debtor(s) and assignment of any leases to, or, (b) any sale of assets to any post-confirmation entities, including Newco and its subsidiaries and affiliates including Credit Bid Purchaser(s), in each case free and clear of Appellants' future subrogation rights, rights of reimbursements, rights of restitution or existing and future rights of exoneration, pursuant to 11 U.S.C. §§ 353 or 365 or otherwise. The Confirmation Order is attached hereto as **Exhibit A**.

Part 3: Identification of the other Parties to the Appeal

The names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys are as follows:

1. Appellants: Lexon Insurance Company, Ironshore Indemnity Inc. and Ironshore Specialty Insurance Company

Attorneys for Appellants:

HARRIS BEACH PLLC

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2. Debtors: Dynamic Offshore Resources NS, LLC; Fieldwood Energy LLC; Fieldwood Energy Inc.; Fieldwood Energy Offshore LLC; Fieldwood Onshore LLC; Fieldwood SD Offshore LLC; Fieldwood Offshore LLC; FW GOM Pipeline, Inc.; GOM Shelf LLC; Bandon Oil and Gas GP, LLC; Bandon Oil and Gas, LP; Fieldwood Energy SP LLC; Galveston Bay Pipeline LLC; and Galveston Bay Processing LLC.

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3. Credit Bid Purchaser: Mako Buyer 2, LLC and all subsidiaries and affiliates

Attorneys for Credit Bid Purchaser and all subsidiaries and affiliates:

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Dated: July 1, 2021

Respectfully Submitted,

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Notice of Appeal was served by electronic delivery on all persons and entities receiving ECF notice in this case on July 1, 2021.

/s/ Lee E. Woodard
Lee E. Woodard